

WSGR Wilson Sonsini Goodrich & Rosati
PROFESSIONAL CORPORATION

RECEIVED
CENTRAL FAX CENTER

MAR 14 2005

Date: March 14, 2005

To: Examiner S. Jiang, Group Art Unit 1617

Fax: 703-872-9306

☒ Use this fax
number only

Company: U.S. Patent and Trademark Office

Phone:

☐ Notify recipient
before sending

From: Drew Herndon

Phone: 650-461-6203

Return Fax: 650-493-6811

Original: ☐ To follow via mail ☐ To follow via courier ☐ To follow via email ☒ Original will not followFax Contains: 2 pages (including this sheet). If incomplete, call Drew at 650-461-6203.

Message:

Official Filing

U.S. Serial No. 10/072,010

Filed: October 25, 2001

Jonathan W. Nyce

Attorney Docket No.: 30775-701.403

Attached for filing in the above-identified patent application are:

Notice of Appeal (PTO/SB/31)

Appeal fee of \$250 for a small entity

Certification of Facsimile Transmission under 37 CFR 1.8

I hereby certify that this paper is being transmitted via facsimile under the provisions of 37 CFR 1.8 addressed to GAU 1617, Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450, facsimile number 703-872-9306 on March 14, 2005.

Signature of Depositor:


Drew R. Herndon

Date:

March 14, 2005

Ref: 30775-701.403

Return Original to: Drew Herndon

Location: FH-1-2

650 Page Mill Road, Palo Alto, CA 94304-1050 • 650.493.9300 Tel • 650.493.6811 Fax • www.wsgr.com

This fax may contain confidential and privileged material for the sole use of the intended recipient. Any review or distribution by others is strictly prohibited.
If you are not the intended recipient please contact the sender and destroy all copies.

Entire Transmission Copyright © 2003 Wilson Sonsini Goodrich & Rosati. All Rights Reserved.

PTO Fax Filing cover.doc (1006)

PAGE 1/2 * RCVD AT 3/14/2005 8:07:54 PM [Eastern Standard Time] * SVR:USPTO-EFAX-1/1 * DNS:8729306 * CSID:650 493 6811 * DURATION (mm-ss):00-58

MAR 14 2005

PTO/SB/31 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|---|---|--|
| NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES | | Docket Number (Optional) 30775-701.403 |
| I hereby certify that this correspondence is being submitted via facsimile to fax number 703-872-8308, addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 [37 CFR 1.8]" | | In re Application of Jonathan W. Nyce |
| On <u>March 14, 2005</u> | Application Number 10/072,010 | Filed October 25, 2001 |
| Signature <u><i>Drew Herndon</i></u> | For Compositions, Formulations and Methods ... Inflammation | |
| Typed or printed name <u>Drew Herndon</u> | Art Unit 1617 | Examiner Shaojia A. Jiang |

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$500.00

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$250.00

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account Number 23-2415. I have enclosed a duplicate copy of this sheet.

☐ Petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/98).

☒ attorney or agent of record.
Registration Number 25,227.

☐ attorney or agent under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____

Albert P. Halluin
Signature
Albert P. Halluin
Typed or printed name
650-493-9300
Telephone number
March 14, 2005
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.8. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.